

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)

MDL No. 2419

Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

All Cases)

NOTICE OF CANCELLATION OF DEPOSITION AND
WITHDRAWAL OF SUBPOENA

Defendants Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, Kimberly Yvette Smith, M.D., a/k/a Kimberly Yvette Smith-Martin, M.D., Thomas Dwyer, M.D., Richard C. DiVerniero, M.D., and Richard Strauss, M.D. (collectively, "Premier Defendants") give notice to the Court and to all parties of the following:

1. On October 20, 2015, the Premier Defendants attempted to serve a subpoena and deposition notice on Chattanooga Surgery Center, located at 400 N. Holtzclaw Ave., Chattanooga TN, 37404. The subpoena was not executed because upon attempting service, the server discovered that the Chattanooga Surgery Center has been replaced by the unrelated entity Center for Sports Medicine and Orthopedic Surgery at the same address.

2. The Premier Defendants hereby give notice that the deposition is cancelled and the subpoena to Chattanooga Surgery Center has been withdrawn.

Respectfully submitted,

/s/ Christopher M. Wolk
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 2nd day of November, 2015.

/s/ Christopher M. Wolk